

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|---------------------------|---|-------------------------------------|
| UNITED STATES OF AMERICA, |) | 8:13CR-105 |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | AMENDED MOTION TO EXTEND |
| |) | TIME TO FILE PSIR OBJECTIONS |
| |) | |
| TIMOTHY DEFOGGI, |) | |
| |) | |
| Defendant. |) | |

COMES NOW the Defendant, Timothy DeFoggi, by and through undersigned counsel, and moves to extend the deadline for the filing of the Presentence Investigation Report (PSIR) Objections due November 16, 2014 (a Sunday) for the following reasons:

1. Counsel received the PSIR on November 6, 2014, not November 4, 2014 as previously referenced in Filing No. 254.
2. Counsel has not been able to discuss the PSIR with his client.
3. AUSA Mike Norris and United States Probation Officer Sandra Foster have no objection to extending the date the objections are due.
4. Defendant submits that sentencing in this matter set for January 5, 2015 will not be affected.
5. Counsel requests that the time the PSIR Objections are due be extended to November 24, 2014 as this is the current date for post-verdict motions.
6. Defendant will file his objections to the PSIR by November 24, 2014.

WHEREFORE, Defendant prays that the Court extend the deadline for the filing of the PSIR Objections and for such further and other relief as the Court deems just and equitable.

TIMOTHY DEFOGGI, Defendant,

By: s/Stuart J. Dornan
STUART J. DORNAN, #18553
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CERTIFICATE OF SERVICE

I hereby certify that on November 14, 2014, I electronically filed the foregoing document with the Clerk of the District Court using the CM/ECF system which sent notification of such filing to the following:

Mike P. Norris, Assistant United States Attorney

and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants:

Sandra L. Foster, United States Probation Officer

s/Stuart J. Dornan
STUART J. DORNAN, #18553
Attorney for Defendant